

## **REMARKS**

### **I. GENERAL**

Claims 1-29 are presently pending in the application. Applicant notes the allowance of claims 11-22. The issue in the Final Action is as follows:

- Claims 1-10, 17, 18, 21, and 23-24 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-22 of US 6,751,444 (hereinafter, the '444 patent).

Applicant hereby requests reconsideration and withdrawal of the outstanding rejection in light of the amendments and remarks contained herein.

### **II. CLAIM AMENDMENTS**

Claims 1 and 18 have been amended to correct informalities. As such, no new matter has been added.

### **III. DOUBLE PATENTING REJECTION**

Claims 1-10, 17, 18, 21, and 23-24 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-22 of the '444 patent. Applicant submits a terminal disclaimer against US 6,751,444 herewith, thereby obviating the double patenting rejection of record.

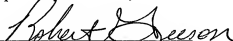
### **IV. CONCLUSION**

In view of the above, Applicant believes the pending application is in condition for allowance. The fee of \$70 set forth under 37 CFR 1.20(d) for filing a terminal disclaimer and the fee of \$245.00 set forth under 37 CFR 1.117(a)(2) for a two-month extension for response for a small entity will be paid by credit card. Please charge any additional fees required or credit any overpayment to Deposit Account No. 06-2380, under Order No. 68144/P020US.B/10505125

during the pendency of this Application pursuant to 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Dated: March 25, 2011

Respectfully submitted,

By 

Robert Greeson

Registration No.: 52,966

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-7430

(214) 855-8200 (Fax)

Attorney for Applicant